

BOSTON REDEVELOPMENT AUTHORITY City Hall / Room 900, 1 City Hall Square / Boston, Massachusetts 02201 / Telephone (617) 722-4300

January 3, 1974

BOARD OF APPEAL REFERRALS

1. Z-2966, Michael & Deborah Morahan, 18 Seaverns Avenue, Jamaica Plain
2. Z-2976, Salvatore Celiberti, 152 Park Street, West Roxbury
3. Z-2981, Ben Jacob, 1243-1247 Blue Hill Avenue, Mattapan
4. Z-2982, Simmons College, 84 Pilgrim Road & 311 Brookline Avenue, Boston
5. Z-2984, Thomas E. Tobin, 287 West Fifth Street, South Boston
6. Z-2986, Central Boston Congregation of Jehovah's Witnesses, Inc., 49 Brooksdale Road, Brighton
7. Z-2989, Stoughton Street Baptist Church, 41 Glendale Street, Dorchester
8. Z-2995, United South End Settlement, 566 Columbus Avenue, Boston
9. Z-3007, Freeport Realty Trust, 295 Freeport Street, Dorchester
10. Z-3013-3014, Idak Convalescent Centers, Inc., 1080-1090-1100 VFW Parkway, West Roxbury

MEMORANDUM

January 3, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 1/15

Petition No. Z-2966

Michael and Deborah Morahan
18 Seaverns Avenue, Jamaica Plain

Petitioner seeks a forbidden use and two variances to legalize occupancy for a three family dwelling in a residential (R-.8) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 8-7. Any dwelling converted for more families which does not meet the requirements for lot area and open space is forbidden in an R-.8 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1500sf/du	0
Section 17-1. Open space is insufficient	800sf/du	603 sf/du

The property, located on Seaverns Avenue near the intersection of Centre Street, contains a 2½ story frame structure. Petitioner purchased the property as a three family dwelling in 1969. Occupancy is compatible with existing neighborhood character and will have no adverse effects. Recommend approval.

VOTED: That in connection with Petition No. Z-2966, brought by Michael and Deborah Morahan, 18 Seaverns Avenue, Jamaica Plain, for a forbidden use and two variances to legalize occupancy for a three family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Occupancy is compatible with existing neighborhood character and will have no adverse effects.



Board of Appeal Referrals 1/3/74

Hearing Date: 1/22

Petition No. Z-2976
Salvatore Celiberti
152 Park Street, West Roxbury

Petitioner seeks a forbidden use and three variances for a change of occupancy from a one family dwelling to a two family dwelling in a single family (S-.3) district. Proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 8-7. A dwelling converted for more families is forbidden in an S-.3 district.		
Section 14-2. Lot area for additional dwelling is insufficient.	6,000 sf	2393 sf
Section 18-4. Front yard is insufficient	30 ft.	4 ft.
Section 20-1. Rear yard is insufficient	50 ft.	42 ft.

The property, located on Park Street at the intersection of Clement Avenue, contains a two story frame structure on 11,393 square feet of land. Proposal is consistent with other residences in the immediate area. A separate entrance for the proposed unit is already existing. Violations will not make a significant effect on the surrounding neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2976, brought by Salvatore Celiberti, 152 Park Street, West Roxbury, for a forbidden use and three variances for a change of occupancy from a one family dwelling to a two family dwelling in a single family (S-.3) district, the Boston Redevelopment Authority recommends approval. Proposal is consistent with other residences in the immediate area. Violations will not have a significant effect on the surrounding neighborhood.

Z-2976
152 PARK ST.
(W.R.)



Board of Appeal Referrals 1/3/74

Hearing Date: 1/22/74

Petition No. Z-2981

Ben Jacob

1243-1247 Blue Hill Avenue

Mattapan

Petitioner seeks a conditional use and a change in a non-conforming use for a change of occupancy from lubricitorium, garage, accessory store to car wash and car conditioning in residential (R-.5 & R-.8) and general business (B-1) districts. Proposal violates the code as follows:

Section 8-7. A car wash is conditional in a B-1 district.

Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.

The property, located at the intersection of Blue Hill Avenue and Goodale Road, contains a one-story masonry structure. The proposal should be subject to the following conditions: that all work be performed within the structure; that all vehicles be stored within the structure; that any noise, fumes and vapor be effectively confined to the lot; that plans be submitted to the Authority for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2981, brought by Ben Jacob, 1243-1247 Blue Hill Avenue, Mattapan, for a conditional use and a change in a non-conforming use for a change of occupancy from lubricitorium, garage, accessory store to car wash and car conditioning in residential (R-.5 & R-.8) and general business (B-1) districts, the Boston Redevelopment Authority recommends approval with the following conditions: that all work be performed within the structure; that all vehicles be stored within the structure; that any noise, fumes and vapor be effectively confined to the lot; that plans be submitted to the Authority for design review.

2-2981
1243-1247 BLUE HILL AVE.
HILL

Board of Appeal Referrals 1/3/74

Hearing Date: 1/29/74

Petition No. Z-2982
Simmons College
84 Pilgrim Road & 311 Brookline Avenue
Boston

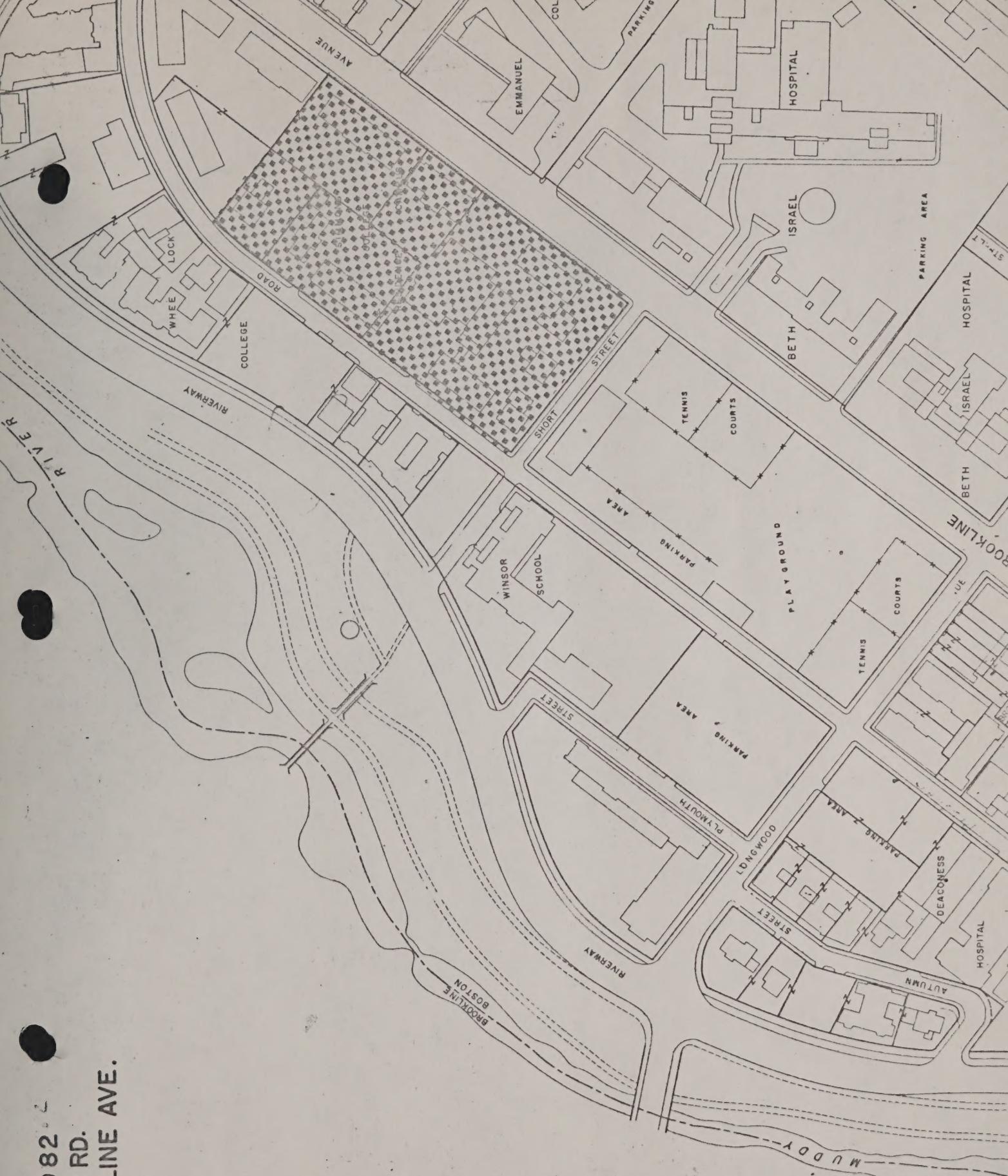
Petitioner seeks a conditional use to erect a one-story addition to a dining hall in an apartment (H-1) district. Proposal violates the Code as follows:

Section 8-6. An addition to an existing conditional use requires a Board of Appeal hearing.

Property, bounded by Pilgrim Road, Brookline Avenue and Short Street, contains a college complex. Expansion would be utilized for additional dining area. Fenway Project Area Committee has no objection. Recommend approval.

VOTED: That in connection with Petition No. Z-2982, brought by Simmons College, 84 Pilgrim Road and 311 Brookline Avenue, Boston, for a conditional use to erect a one-story addition to a dining hall in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Expansion complies with conditional use requirements. Fenway Project Area Committee has no objection.

Z-2982
84 PILGRIM RD.
311 BROOKLINE AVE.
(B. P.)



Board of Appeal Referrals 1/3/74

Hearing Date: 1/29/74

Petition No. Z-2984
Thomas E. Tobin
287 West Fifth Street
South Boston

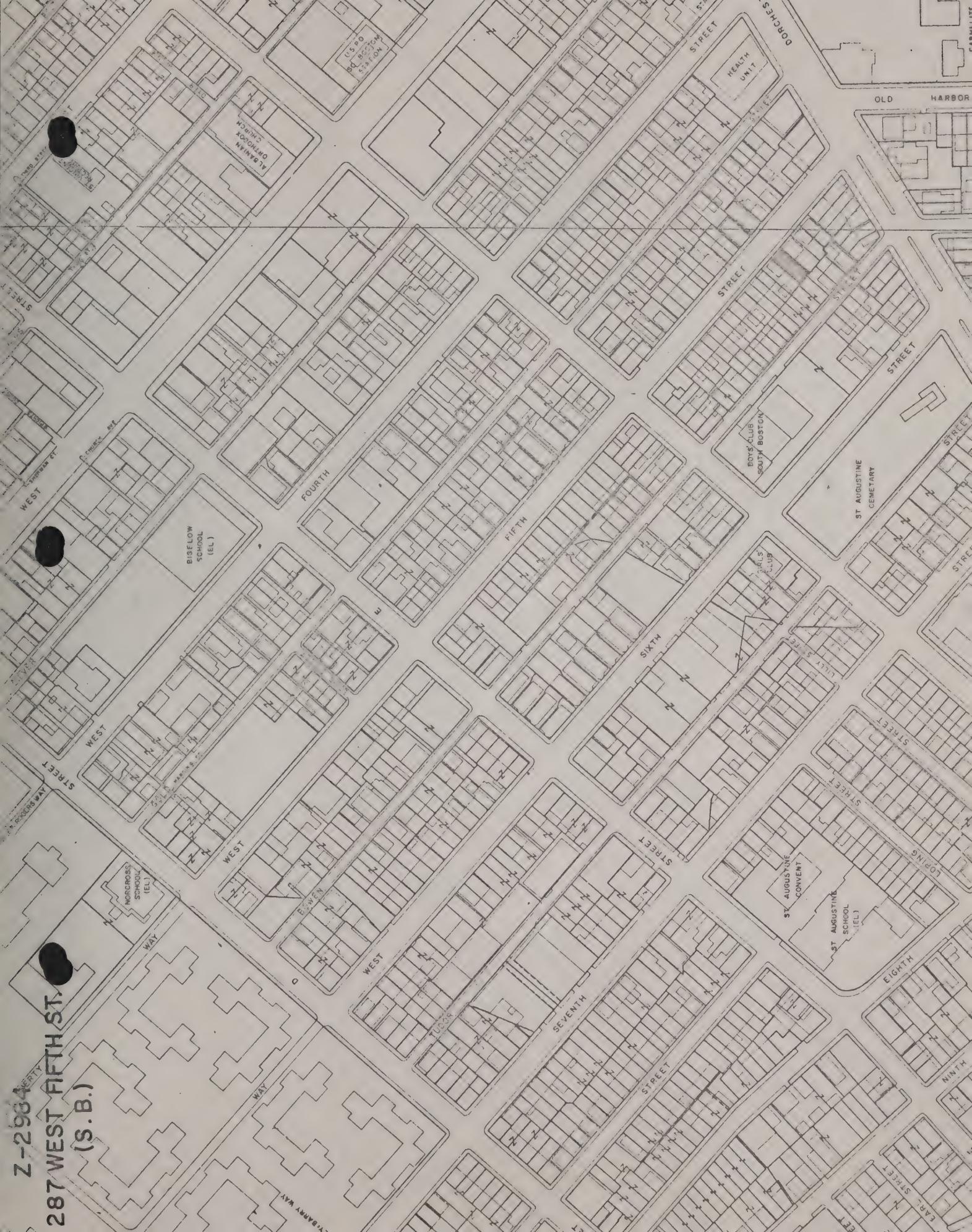
Petitioner seeks a forbidden use and two variances to legalize occupancy for three family dwelling in an apartment (H-1-50) district. Proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 8-7. Any dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient	1,000sf/du	0
Section 17-1. Open space is insufficient	400sf/du	361sf/du

The property, located on West Fifth Street near the intersection of Dorchester Street, contains a 2½ story frame structure. The three family occupancy was existing at the time of purchase in May, 1972. Additional unit will not have a significant effect on the surrounding neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2984, brought by Thomas E. Tobin, 287 West Fifth Street, South Boston, for a forbidden use and two variances to legalize occupancy for three family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval. Additional unit will not have a significant effect on the surrounding neighborhood.

Z-2964
287 WEST FIFTH ST.
(S.B.)



Board of Appeal Referrals 1/3/74

Hearing Date: No date

Petition No. Z-2986
Central Boston Congregation of
Jehovah's Witnesses, Inc.
49 Brooksdale Road, Brighton

Petitioner seeks a variance for a change of occupancy from a house of worship to a house of worship and two apartments in a residential (R-.5) district. Proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 14-2. Lot area for additional dwelling unit is insufficient.	3,000sf/du	2,000 sf/du

The property, located on Brooksdale Road near the intersection of Raneleigh Road, contains a one-story frame structure. The units, already existing in the basement and apparently occupied, are an unreasonable use of structure, excessive, not conducive to sufficient light and air, and contrary to an agreement with the neighborhood to exclude them. Neighborhood opposition is significant. Recommend denial.

VOTED: That in connection with Petition No. Z-2986, brought by Central Boston Congregation of Jehovah's Witnesses, Inc., 40 Brooksdale Road, Brighton, for a variance to erect two apartments in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The units, already existing in the basement and apparently occupied, are an unreasonable use of structure, excessive, not conducive to sufficient light and air, and contrary to an agreement with the neighborhood to exclude them. Neighborhood opposition is significant.

Z-2986

49 BROOKSDALE RD.
(BRI.)



Board of Appeal Referrals 1/3/74

Hearing Date: 1/29/74

Petition No. Z-2989

Stoughton Street Baptist Church
41 Glendale Street, Dorchester

Petitioner seeks a forbidden use for a change of occupancy from a one family dwelling to a one family dwelling and day center in residential (R-.8) and apartment (H-1) districts. Proposal violates the Code as follows:

Section 8-7. A facility providing custodial care for mentally ill or mentally deficient persons is forbidden in R-.8 and H-1 districts.

The property, located on Glendale Street near the intersection of Columbia Road, contains a two-story frame structure. The day time facility would be operated by the Therapeutic Community Inc., a non-profit corporation. Approximately 15-20 ex-mental patients would participate in programs to further their preparation for full-time community residents. The following is recommended: that the use be granted to the Stoughton Street Baptist Church and extend only to the Therapeutic Community Center, Inc.; that the permit expire upon sale, other lease or disposition of the whole or any part of the structure by the petitioner; that there be no additions to or alterations of the structure. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2989, brought by Stoughton Street Baptist Church, 41 Glendale Street, Dorchester, for a forbidden use for a change of occupancy from a one-family dwelling to a one family dwelling and day center in residential (R-.8) and apartment (H-1) districts, the Boston Redevelopment Authority recommends approval with the following provisos: that the use be granted to the Stoughton Street Baptist Church and extend only to the Therapeutic Community Inc.; that the permit expire upon sale, other lease or disposition of the whole or any part of the structure by the petitioner; that there be no additions to or alterations of the structure.

Z-2989

41 GLENDALE ST.
(DOR.)



Board of Appeal Referrals 1/3/74

Hearing Date: 1/15/74

Petition No. Z-2995
United South End Settlement
Kenneth L. Brown
566 Columbus Avenue, Boston

Petitioner seeks a variance to erect a three-story community center and day care center structure in a general business (B-2) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 23-3. Off street parking not provided.	31 spaces	7

The property, located on Columbus Avenue between Massachusetts Avenue and West Springfield Street in the South End Urban Renewal Area, contains 21,613 square feet of land. The center would accommodate approximately 60 children. Proposal would replace an outmoded facility existing in the immediate neighborhood. Use of the proposed center by the local community and the proximity of public transportation tend to minimize the off street parking deficiency. Recommend approval.

VOTED: That in connection with Petition No. Z-2995, brought by United South End Settlement, 566 Columbus Avenue, in the South End Urban Renewal Area, for a variance to erect a three-story community center and day care center structure in a general business (B-2) district, the Boston Redevelopment Authority recommends approval. Use of the proposed facility by the local community and the proximity of public transportation tend to minimize the off street parking deficiency.



MASSACHUSETTS
SYMPHONY
STATION

Z-2995
566 COLUMBUS AVE.
(B. P.)

WILLIAM E. CARTER

PLAYGROUND

Board of Appeal Referrals 1/3/74

Hearing Date: 1/22/74

Petition No. Z-3007
Freeport Realty Trust
George Hurwitz
295 Freeport Street, Dorchester

Petitioner seeks two forbidden uses, an extension of a non conforming use and two variances to erect two one story additions to an electrical contractor's office-warehouse in a residential (R-.5) and local business (L-.5) district. Proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 8-7. An office building is forbidden in an R-.5 district.		
Section 8-7. A warehouse is forbidden in an R-.5 district.		
Section 9-1. Extension of a non conforming use requires Board of Appeal hearing.		
Section 19-1. Side yard is insufficient	10 ft.	40 ft.
Section 20-1. Rear yard is insufficient	3 ft.	10 ft.

The property, located at the intersection of Park Street, contains a one story masonry structure (contractor's office) and a $2\frac{1}{2}$ story frame structure. The proposal would include expansion of the office-warehouse at the right side and rear (8300 square feet floor area), addition of a second story to the front (1800 square feet floor area), demolition of the frame structure and combine with contiguous lot to provide off street parking. Freeport Street is commercial-industrial in character. Expansion of this use would be appropriate. Staff recommends the following: Provision of an adequate buffer to protect adjacent residential properties; provision of landscape screening in parking area; signs to comply with new regulations; plans, including circulation and landscaping, be submitted for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3007, brought by Freeport Realty Trust, 295 Freeport Street, Dorchester, for two forbidden uses, an extension of a non conforming use and two variances to erect two one story additions to an electrical contractor's office-warehouse in a residential (R-.5) and local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: provision of an adequate buffer to protect adjacent residential properties; provision of landscape screening in parking area; signs to comply with new regulations; plans, including circulation and landscaping, be submitted for design review. Expansion of this use would be compatible with the commercial-industrial character of Freeport Street.

Z-3007
295 FREEPORT ST.

(DOR.)

5
SOUTHEAST

APPROXIMA-



Board of Appeal Referrals 1/3/74

Hearing Date: 1/15/74

Petition Nos.Z-3013-3014
Idak Convalescent Centers, Inc.
1080-1090-1100 VFW Parkway
West Roxbury

Petitioner seeks two forbidden uses, an extension of a non conforming use and ten variances to erect a three story 96-bed addition to a 146-bed nursing home and erect a roofed bridge addition in a single family (S-.5) district. Proposal violates the Code as follows:

1080-1090-1100

	<u>Req'd</u>	<u>Prop</u>
Section 8-7. A nursing home is forbidden in an S-.5 district.		
Section 10-1. Parking not allowed in required front yard.		
Section 14-2. Lot area for additional unit is insufficient.	4000sf/du	1093sf/du
Section 15-1. Floor area ratio is excessive.	0.5	0.6
Section 16-1. Height of building is excessive.	2½stories	3stories
Section 23-3. Off street parking is insufficient.	146 spaces	117 spaces

1090-1100

Section 9-1. Extension of a non conforming use requires a Board of Appeal hearing.

Property, located on VFW Parkway near the intersection of Baker Street, contains a two story 146-bed nursing home. In 1972, the Authority recommended denial of a petition for a third story addition (102 beds) because only four additional parking spaces would have been provided; the Board of Appeal approved with design review. However, due to engineering problems, the project was subsequently abandoned. Petitioner now proposes a separate three-story addition on land acquired since the original petition. The proposed increase in beds would apparently satisfy current standards and mandatory regulations of Federal and State Health Agencies. It has been indicated to the staff that a Certificate of Need was granted to the facility on July 23, 1971.

The proposed extension seems to be justified. This area of the Parkway contains mixed uses. Proximate to the site are a shopping center, gas station, another nursing home, drive-in movie and restaurants.

There exists, however, apparent drainage problems. The area may be subject to flooding and could be classified as wetlands by the Boston Conservation Commission which has requested information concerning flooding and drainage from the petitioner and is presently studying the area. Following provisos are recommended: that any extension of the existing facility be subject to approval and conditions imposed by the Boston Conservation Commission under the Wetlands Protection Act; that the parking areas be suitably screened from abutting residential uses; that parking lot access and egress be re-designed to improve traffic flow; that all plans be submitted to the Authority for design review. Recommend approval with provisos.

VOTED: That in connection with Petition Nos. Z-3013-3014, brought by Idak Convalescent Centers, Inc., 1080-1090-1100 VFW Parkway, West Roxbury, for two forbidden uses, an extension of a non conforming use and ten variances to erect a three story addition and a roofed bridge addition to a nursing home in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval with provisos listed below. The proposed increase in beds would apparently satisfy current standards and mandatory regulations of Federal and State Health Agencies. It has been indicated to the staff that a Certificate of Need was granted to the facility on July 23, 1971.

The proposed extension seems to be justified. This area of the Parkway contains mixed uses. Proximate to the site are a shopping center, gas station, another nursing home, drive-in movie and restaurants. There exists, however, apparent drainage problems. The area may be subject to flooding and could be classified as wetlands by the Boston Conservation Commission which has requested information concerning flooding and drainage from the petitioner and is presently studying the area. Following provisos are recommended: that any extension of the existing facility be subject to approval and conditions imposed by the Boston Conservation Commission under the Wetlands Protection Act; that the parking areas be suitably screened from abutting residential uses; that parking lot access and egress be re-designed to improve traffic flow; that all plans be submitted to the Authority for design review.

Z-3013-3014

1080-1090-1100 VFW PKY.
(W.R.)

